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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
MAXCIMO SCOTT, JAY ENSOR, MATTHEW :
MEDINA, EUFEMIA JIMENEZ, KRISTAL :
PARKER, STACY HIGGS and CHRISTINA :
JEWEL GATELY on behalf of themselves and all : Case No. 12-CIV-8333(ALC)(SN)
others similarly situated, :
:
Plaintiffs, : **NOTICE OF MOTION**
:
-against- :
:
CHIPOTLE MEXICAN GRILL, INC. and :
CHIPOTLE SERVICES, LLC :
:
Defendants. :
----- X

PLEASE TAKE NOTICE that, upon the Declaration of Brian Murphy, Esq., dated November 25, 2015, together with Exhibits A – L attached thereto, the Memorandum of Law in Support of Defendants' Motion to Partially Strike the Expert Reports of Dr. Phillip Johnson and John Gordon, and upon all of the papers and proceedings herein, the undersigned attorneys for Defendants Chipotle Mexican Grill, Inc. and Chipotle Services, LLC (together, "Chipotle"), will move this Court, before the Honorable Andrew L. Carter, Jr., United States District Judge for the United States District Court for the Southern District of New York, at the Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, New York 10007, on a date and time to be set by

the Court, for an order pursuant to Federal Rules of Civil Procedure 26 and 37 and pursuant to Federal Rules of Evidence 403, 702 and 703: (i) striking portions of the Declaration of Dr. Phillip Johnson; (ii) striking portions of the Declaration of John Gordon; and (iii) for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, Plaintiffs' Opposition Papers, if any, are to be served on the undersigned on or before December 15, 2015, and Chipotle's Reply Papers are to be served on or before December 22, 2015.

Dated: New York, New York
November 25, 2015

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: /s/ Brian D. Murphy
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Attorneys for Chipotle Mexican Grill, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have caused true and correct copies of Defendants': (i) Notice of Motion; (ii) Memorandum of Law in Support thereof; and (iii) Declaration of Brian D. Murphy, Esq. together with Exhibits A-L thereto, to be served on all counsel of record, this 25th day of November 2015, by operation of the Court's CM/ECF electronic filing system.

s/ Brian D. Murphy
Brian D. Murphy